

CITY OF FULSHEAR



FULSHEAR CITY COUNCIL MINUTES May 18, 2010

ITEM 1. CALL TO ORDER

A regular meeting of the Fulshear City Council was called to order by Mayor, James W. Roberts at 7:00 p.m. Tuesday, May 18, 2010 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed. A quorum was present.

MEMBERS PRESENT

James W. Roberts, Mayor
Dennis Clack
J. B. Collins
Laverne Patterson
Derek Einkauf
Stephen Gill

STAFF PRESENT

J. Grady Randle, City Attorney
Kristina Brashear, City Treasurer
D. Gordon Offord, City Secretary
Cheryl Stalinsky, Comm. Development

MEMBERS ABSENT

None

OTHERS PRESENT

Larry Beustring
Shannon Purcell
Jeff Roberts
Viola Randle
And 60-70 others who did not sign in

ITEM 2. INVOCATION

A prayer was given by Pastor John Crowe, River Bend Baptist Church, Fulshear, Texas

ITEM 3. PUBLIC COMMENT(s)

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None.

ITEM 4. Approval of Minutes
Special Meeting, March 8, 2010
Regular Meeting, April 20, 2010

A motion was made by Alderman Collins to approve the minutes of Special Meeting, March 8, 2010 and Regular Meeting of April 20, 2010 as presented. It was seconded by Alderwoman Patterson. Mayor Roberts asked if there was any discussion.

Alderman Gill requested that the following changes be done on the minutes of 4-20-2010: change the Mayor's expense to reflect "\$200.00 per month" instead of \$800.00 per month and item 29 first line should state "me- myself" "wanted to bring to the attention of Council significant time spent by the City Attorney on Political Signs" instead of magnitude of the charges were too high.

Alderman Collins amended his motion to include the changes recommended by Alderman Gill on the minutes of 4-20-2010 and approve March 8, 2010 as presented. It was seconded by Alderwoman Patterson.

Mayor Roberts called for a vote. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, Einkauf, Gill, and Alderwoman Patterson
Nays: None

ITEM 5. Consider and take action on checks paid and list of payables

A motion was made by Alderman Einkauf to approve checks paid and list of payables with the exception of sludge charges from Southwest Water Company. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, Einkauf, Gill, and Alderwoman Patterson
Nays: None

ITEM 6. Report from the Court Clerk (Fees and Fines)

Elaine Brown, Court Clerk, presented her report to the Council. There were no comments from the Council.

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7. Official Canvass of Election Returns

City Secretary, D. (Diana) Gordon Offord presented the canvassing report from Fort Bend County Election Administrator, John Oldham, to the Council which stated: "do certify that the following are a true and accurate statement of the votes cast in the various precincts of Fort Bend County during the General Election held on May 8, 2010 on behalf of the City of Fulshear as follows:

Mayor, City of Fulshear, vote:

Tommy Kuykendall – 181

Carl G. Utley – 138

Aldermen, City of Fulshear vote:

Jeff Roberts – 142

Derek Einkauf – 117

Mark Wilson -125

Robert Becker – 130

Laverne Patterson – 158

Larry Beustring -138

Mayor Roberts stated that the report from Fort Bend Election Administrator, John Oldham, was accepted by Council. No objections noted.

ITEM 8. Consider and take action to adopt Ordinance No. 2010-1004

Caption: An Ordinance of the City of Fulshear, Texas canvassing the returns and declaring the results of the General Election held on May 8, 2010, for the purpose of electing one (1) Mayor and three (3) aldermen to the City Council of the City of Fulshear, Texas.

A motion was made by Alderman Einkauf to adopt Ordinance No. 2010-1004 Canvassing the return and declaring the result of the General Election held on May 8, 2010 for the purpose of electing one (1) Mayor and three (3) aldermen to the City of Fulshear, Texas. It was seconded by Alderman Clack.

The motion was carried by the following vote:

Ayes: Aldermen Clack, Collins, Einkauf, Gill, and Alderwoman Patterson

Nays: None

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ITEM 9a. Swearing in ceremony of elected city officials.

Judge Kelly Crow performed the swearing-in ceremony to the following elected city officials:

Tommy Kuykendall- Mayor

Jeff Roberts- Alderman

Laverne Patterson- Alderman

Larry Beustring-Alderman

ITEM 9b. Presentations to departing Council Members

Mayor Kuykendall presented plaques to Dennis Clack and Derek Einkauf for their service to the City of Fulshear. Also Rhonda Kuykendall, first lady, was presented with a vase of flowers.

Mayor Kuykendall called for a 10-minute recess in order that the newly elected official could take their place on the Council.

Mayor Kuykendall reconvened the regular meeting back into session at 7:43 p.m.

ITEM 10. Consider and take action to authorize purchase of tractor for the Maintenance Department

A motion was made by Alderman Gill to authorize purchase of tractor for the Maintenance department as presented and negotiate a satisfactory payment plan. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

ITEM 11. Consider and take action on Cross Creek Ranch/Sports Park - Preliminary Plat

A motion was made by Alderman Beustring to approve Cross Creek/Sports Park Preliminary Plat. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

ITEM 12. Consider and take action on Sign Permit: Las Flores Mexican Restaurant/ 8525 FM 359

Aldерwoman Patterson stated that no signature by the building inspector showing that it has been approved. Jeremy Young, permit officer, stated he had a signed copy in his office. Mr. Young unable to locate the copy.

A motion was made by Alderman Gill to table this item. It was seconded by Aldерwoman Patterson.

Mayor Kuykendall stated we have a motion on the floor to table and a second. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Aldерwoman Patterson
Nays: None

ITEM 13. Consider and take action on Sign Permit: Fulshear II LTD./ edge of driveway of 359 to shopping center

Mayor Kuykendall stated that the sign appears not to be a monument sign as it is not touching the ground all the way across. It is not meeting the requirements of the sign ordinance. There should be a base all the way across.

Mr. Lippman asked if the sign permit could be approved with a variance.

A motion was made by Alderman Gill to table this action pending additional information. It was seconded by Alderman Collins.

The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Aldерwoman Patterson
Nays: None

14. Report from the Police Department (Traffic citations, arrest, incidents, calls for service)

Police Chief Scott Head presented to the Council the Fulshear Police Report for month of April, 2010. There were no questions.

15. Presentation/Discussion regarding Solid Waste accounting process for collection

Ms. Brashear stated she mainly wanted to bring this housecleaning issue to the attention of the Council.

Kristina Brashear, City Treasurer, presented a problem to the Council regarding Solid Waste Accounting process for collection. Ms. Brashear stated that Southwest Water cannot determine whether accounts with garbage collection only actually have residents living at particular address or whether they have moved, etc. The City has to provide accurate information to (SWWC) Southwest Water Company (SWWC does billing for water and garbage collection) and we have not done so for a number of years. Ms. Brashear stated she has done preliminary investigations and found some addresses need to be removed from the account due to moved and others that have moved in but failed to set up an account with SWWC. This happens in the area of town where the residents is on a water-well (mostly off Bois D' Arc Lane).

Ms. Brashear stated she found a city ordinance that requires every resident within the city limits to pay for collection of garbage (Ordinance No. 01-878) and a penalty was assessed for any violations. Also, we may need assistance from the City Attorney about the bad debt ones.

Ms. Brashear stated that she will start with the tax rolls to get accurate addresses, do some more investigation and try to come up with a game plan.

Mayor Kuykendall requested that Ms. Brashear inform him when she has enough data to request a workshop with the Council.

No action was taken on this item.

16. Consider and take action to remove previous Mayor's signature off bank accounts and add the Mayor Kuykendall's signature to the bank accounts

A motion was made by Alderman Gill to approve removing previous Mayor's signature (Mayor Roberts) off the bank accounts and add Mayor Kuykendall's signature to the bank accounts. It was seconded by Alderman Collins. The motion was carried by the following vote:

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Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None

17. Consider and take action to select a council member to serve as Mayor Pro- Tem

Mayor Kuykendall recommends that J. B. Collins, Jr. remain Mayor Pro-Tem and that he has had many years of experience.

A Motion was made by Alderman Gill to nominate J. B. Collins, Jr. to serve as Mayor Pro-Tem. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None

18. Consider and take action to reappoint Larry Beustring and Mike Mernane to the Fulshear Development Corporation (4B Corporation) whose term is expiring June 1, 2010

A motion was made by Alderman Collins to reappoint Larry Beustring and Mike Mernane to the Fulshear Development Corporation (4B Corporation) whose term is expiring June 1, 2010. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None

19. Consider and take action to reappoint Bill Archer and Cheryl Stalinsky to the City of Fulshear Development Corporation (4A Corporation) whose term is expiring June 1, 2010

A motion was made by Alderman Gill to reappoint Bill Archer and Cheryl Stalinsky to the City of Fulshear Development Corporation (4A Corporation) whose term is expiring June 1, 2010. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None

20. Consider and take action to authorize the Mayor to sign revised agreement permitting the City to encroach upon said property abutting the right(s) of way for the purpose of placing way finding signs. Owner agrees to the grant of a private license to encroachment by the placement of a way finding sign subject to certain conditions.

A motion was made by Alderman Gill to authorize the Mayor to sign the revised agreement permitting the City to encroach upon said property abutting the right(s) of way for the purpose of placing way finding signs. Owner agrees to the grant of a private license to encroachment by the placement of a way finding sign subject to certain conditions. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None

21. Adjourn

A motion was made by Alderman Collins to adjourn. He stated the time is 8:25 p.m. Mayor Kuykendall stated we are now adjourned.

Mayor's Signature

ATTEST:

City Secretary